

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**RANDY RODRIGUEZ,**

**Petitioner,**

**v.**

**9:13-CV-0206**

**ROLAND LARKIN, Superintendent,  
Eastern Correctional Facility,**

**Respondent.**

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**APPEARANCES:**

**OF COUNSEL:**

RANDY RODRIGUEZ  
Clinton Correctional Facility  
P.O. Box 2002  
Dannemora, NY 12929  
Petitioner, *pro se*

HON. ERIC T. SCHNEIDERMAN  
New York State Attorney General  
The Capitol  
Albany, New York 12224  
Counsel for Respondent

PRISCILLA I. STEWARD, ESQ.  
Assistant Attorney General

**NORMAN A. MORDUE, SENIOR U. S. DISTRICT JUDGE**

**ORDER**

The above matter comes to me following a Report-Recommendation by Magistrate Judge David E. Peebles, duly filed on the 24<sup>th</sup> day of April 2015. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

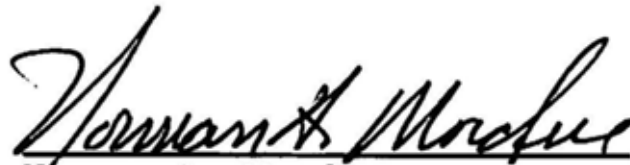
1. The Report-Recommendation is hereby adopted in its entirety.

2. The petition in this matter is denied and dismissed in all respects. Petitioner has failed to make a substantial showing of a denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2); accordingly, no certificate of appealability shall issue.

3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

**IT IS SO ORDERED.**

Dated: May 18, 2015  
Syracuse, New York

  
Norman A. Mordue  
Senior U.S. District Judge